

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
October 19, 1999, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation – Rev. Elisha Verge, North Ash Church of the Nazarene
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Proclamations

PUBLIC AGENDA

- 1. Comments by Susan Cook.

UNFINISHED BUSINESS

- 2. Repair or Removal of Dangerous and Unsafe Structure - 1563 North Belmont.

RECOMMENDED ACTION: Take appropriate action.

- 3. Z-3334 - Zone Change from "B" Multi-Family to "GC" General Commercial; and DP-132 - Number One Amendment to the Via Christi - St. Francis Regional Medical Center C.U.P. Located on the Northeast Corner of Murdock and Topeka. (District VI)

MAPC Recommendation: Approve, subject to conditions.

CPO Recommendation: Approve, subject to MAPD Staff comments.

Item #3Continued

Staff Recommendation: Approve, subject to conditions.

- RECOMMENDED ACTION:
1. Concur with the findings of the MAPC and approve the C.U.P. and zone change, subject to conditions, and subject to the condition of Platting within one year; and the Ordinance be forwarded for first reading when the Plat is forwarded to the City Council; OR
 2. Return the application to the MAPC for reconsideration.

NEW BUSINESS

4. Public Hearing and Issuance of Hospital Facilities Improvement and Refunding Revenue Bonds - Via Christi Health System, Inc. (Districts II, III, and VI)

Bond proceeds will be used to refund all outstanding bonds for CSJ Health System, Inc., and to provide financing for capital projects.

RECOMMENDED ACTION: Close the public hearing; approve first reading of the Ordinance; set November 2, 1999, as the date for adoption; and authorize the necessary signatures.

5. Public Hearing and Issuance of Industrial Revenue Bonds - Old Town Center, L.L.C. (District VI)

Bond proceeds will be used to complete renovations to property located at 800 East First Street.

RECOMMENDED ACTION: Close the public hearing; approve first reading of the Ordinance; and authorize the necessary signatures.

6. Request for Letter of Intent for Industrial Revenue Bonds - Big Dog Motorcycles, L.L.C. (District I)

Big Dog Motorcycles requests a six-month Letter of Intent for Industrial Revenue Bonds in an amount not-to-exceed \$2 million and a five-plus-five-year 100 percent property tax exemption to acquire and equip a new national headquarters manufacturing facility in Wichita.

RECOMMENDED ACTION: Approve the Letter of Intent; and grant a five-plus-five-year 100 percent tax exemption.

7. Request for Letter of Intent for Industrial Revenue Bonds - Coleman Company, Inc.) (District I)

The Coleman Company, Inc., requests a four-year Letter of Intent for Industrial Revenue Bonds in an amount not-to-exceed \$45 million and a ten-year 100 percent property tax exemption.

Item #7 Continued

RECOMMENDED ACTION: Approve the Letter of Intent; and grant a five-plus-five-year 100 percent tax exemption.

8. Petition to Pave Flora, from St. Louis to 160 Feet South of Central. (District IV)

Signatures on the Petition represent 18 of 33 (54.6 percent) resident owners of 40.6 percent of the improvement district area.

RECOMMENDED ACTION: Approve the Petition; adopt the Resolution; and authorize the Staff Screening and Selection Committee to select a design engineer.

9. Employee Pension Enhancements.

Police and Fire Retirement and the Wichita Employees' Retirement Boards have reviewed and recommend the proposed benefit enhancements.

RECOMMENDED ACTION: Approve first reading of the Ordinances.

(11:00 a.m.)

10. Public Hearing on Proposed Assessments for 22 Paving Projects.

Notice of hearing was published and affected property owners have been notified in writing. City personnel held an informal hearing October 4, 1999.

RECOMMENDED ACTION: Close the public hearing; approve the assessments; and approve first reading of the Ordinances.

(7:00 p.m.)

11. A 99-27 - The City of Wichita Seeks the Annexation of Property Located East and West of Webb Road, between Central Avenue and 13th Street North.

On August 17, 1999, the City Council adopted a Resolution that established October 19, 1999, at 7:00 p.m. at the East Point Church of Christ, 747 North 127th Street East, as the time and place for a public hearing to consider the annexation.

RECOMMENDED ACTION: Close the Public Hearing; approve the annexation; and approve first reading of the Ordinance.

CITY COUNCIL AGENDA

12. Appointments:

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

13. Report of the Board of Bids and Contracts Dated October 18, 1999.

RECOMMENDED ACTION: Receive and file the report; approve the Contracts and authorize the necessary signatures.

14. Application for License to Retail Cereal Malt Beverages.

<u>Renewal</u>	<u>1999</u>	<u>(Consumption on Premises)</u>
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Dennis H. Grady	Wichita Canteen Company, Inc.*	1845 Fairmount
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*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the license(s) subject to Staff approval.

15. Plans and Specifications.

- a. 19th Street North, from the east line of Wabash to the west line of Ohio to serve Meekin's, Harvey's and Beacon Additions - east of Broadway, south of 21st Street North. (472-83082/765574/490685) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 3/16/1999. (District VI)

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids by 10:00 a.m., October 29, 1999.

16. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

17. Preliminary Estimates:

- a. 1999-2000 CDBG public facilities and improvements (Phase A) concrete - at various locations. (99-602302-A/602302/800901). Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 3/16/99. (Districts I, III and VI) - \$560,075.00
- b. 1999 condemned sidewalk and wheelchair ramps - Phase I - at various locations. (/132100 & 785931/n/a and 399125) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 8/11/98. - \$173,580.00
- c. Lateral 77, Main 22, War Industries Sewer to serve Mediterranean Plaza Addition - north of 29th Street North, east of Rock. (468-83017/743806/480494) Does not affect existing traffic. City Council approval date: 8/10/99. (District II) - \$13,390.00
- d. Lateral 430, Southwest Interceptor Sewer to serve an Unplatted Tract - south of 55th Street South, east of Meridian. (468-82996/743802/480490) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 6/8/99. (District IV) - \$12,000.00
- e. Reconstruct a portion of Main 3, War Industries Sewer in Fabrique from Funston to Harry - west of Woodlawn, south of Harry. (468-82993/620264/669389) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (District III) - \$231,500.00
- f. Central, West Street to McLean Boulevard. (472-82906/706689/208222) Amended - \$4,500,000.00

RECOMMENDED ACTION: Approve and file.

18. Petitions for Public Improvements:

- A. Storm Water Sewer to serve Auburn Hills Fifth Addition – north of Kellogg, east of 151st Street West. (District V)
- b. Sanitary sewer and water distribution systems to serve Hickory Creek Addition – south of 13th Street, west of 119th Street West. (District V)

RECOMMENDED ACTION: Approve the Petitions; and adopt the Resolutions.

19. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

20. Agreements/Contracts:

- a. Design services for Willowbend North Estates Addition – west of Rock, south of 45th Street North. (District II)
- b. Staking and construction engineering services for The Legacy Addition – west of Meridian, south of MacArthur. (District IV)

Item #20 Continued

- c. Wichita Indochinese Center (WIC) – extension of HOME Operating Contract.

RECOMMENDED ACTION: Approve the Agreements/Contracts; and authorize the necessary signatures.

21. Purchase of Equipment – Finance Department.

RECOMMENDED ACTION: Approve the purchase, installation and software modification.

22. Change Order - WHA Property Management Building Reconfiguration.

RECOMMENDED ACTION: Approve the Change Order; and authorize the necessary signatures.

23. On-Site Emergency Power Generating Capacity.

RECOMMENDED ACTION: Authorize the Study; approve the Contract and transfer of funds in the CIP; and authorize the necessary signatures.

24. Central Riverside Park Improvements and Modifications. (District VI)

RECOMMENDED ACTION: Approve the project; adopt the Resolution; authorize the Staff Screening and Selection Committee to select a design engineer; and authorize the necessary signatures.

25. Voluntary Accidental Death and Dismemberment Renewal.

RECOMMENDED ACTION: Approval renewal of the policy.

26. Eaton Place – Assignment of Interest.

RECOMMENDED ACTION: Approve the assignment; and authorize the necessary signatures.

27. Northeast and South Lakes Soccer Complexes. (Districts II and IV)

RECOMMENDED ACTION: Approve the budget and position.

28. Lincoln Park Interactive Water Feature Consultant. (District I)

RECOMMENDED ACTION: Approve the vendor; and authorize the necessary signatures.

29. Repair or Removal of Dangerous & Unsafe Structures.

<u>Property Address</u>	<u>Council District</u>
1. 426 North Gordon	VI
2. 1457 North Topeka	VI
3. 515 South Sycamore	IV
4. 2542 South Laura (garage)	III
5. 3933 East Ross Parkway	III
6. 4313 West Murdock	VI

RECOMMENDED ACTION: Adopt the Resolutions establishing the public hearing for December 7, 1999, at 11:00 a.m.

30. Amendment to Salary Ordinance: Pro Tem Judges.

RECOMMENDED ACTION: Approve first reading of the Ordinance(s).

31. Second Reading Ordinances

(First read August 24, 1999)

a. Industrial Revenue Bonds - Eaton Place Project. (District I)

An Ordinance authorizing the City of Wichita, Kansas, to issue its residential rental facility revenue bonds in the aggregate principal amount of 6,520,000 and its subordinated residential rental facility revenue bonds in the aggregate principal amount of \$1,000,000 for the purpose of providing funds to acquire, construct, and equip a residential rental facility located in the City of Wichita, Kansas; authorizing the issuance of its taxable industrial revenue bonds in the aggregate principal amount of not to exceed \$7,480,000 for the purpose of providing a portion of the funds to acquire, construct, and equip the residential rental facility and the funds to acquire, construct, and equip and adjacent commercial facility; prescribing the form and authorizing execution of various documents relating to the issuance of and security for the bonds, the lease of the residential rental and commercial facilities, and the sale of bonds; and prescribing the form and authorizing the execution of a declaration of condominium with respect to the real property constituting the residential rental and commercial facilities,

(First read October 12, 1999)

b. Tax exemption request - Graphics Systems, Inc. (District I)

An Ordinance exempting property from ad valorem taxation for economic development purposes pursuant to Article 11, Section 13, of the Kansas Constitution providing the terms and conditions for ad valorem tax exemption; and describing the property of Graphics Systems, Inc., so exempted.

Item #31 Continued

- c. Acquisition of right-of-entry by eminent domain for the East Kellogg Improvement Project - 8030 East Kellogg. (District II)

An ordinance providing for the acquisition by eminent domain of certain private property, easements, and right-of-way therein, for the purpose of acquiring right-of-entry easement in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the City Attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands, easements, and access control, therein taken and providing for payment of the cost thereof.

- d. Sidewalk repair.

An Ordinance making a special assessment to pay for the improvement of and providing a tax levy for the cost of construction of sidewalks in the City of Wichita, Kansas.

- e. Z-3335 - northeast corner of Harry and Christine. (District III)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas. Z-3335

- f. A 99-24 - south and west of 45th Street North and Webb Road. (District II)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A 99-24

- g. A 99-32 - southeast corner of 119th Street West and 29th Street North. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A 99-32

RECOMMENDED ACTION: Adopt the Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

Planning Agenda Continued

*Consent Items

*32. V-2194 - Vacate Street Right-of-way Located at 19th Street North and Wabash. (District I)

Staff Recommendation: Approve Vacation of street right-of-way.

MAPC Recommendation: Approve Vacation of street right-of-way.

RECOMMENDED ACTION: Approve the Vacation Order; and authorize the necessary signatures.

*33. V-2195 - Vacate a Portion of Access Agreement Located Along the Southwest Corner of 47th Street South and Greenwich Road. (District outside the City)

Staff Recommendation: Approve Vacation of portion of access agreement.

MAPC Recommendation: Approve Vacation of portion of access agreement.

RECOMMENDED ACTION: Approve the Vacation request.

*34. V-2197 - Vacate a Portion of Utility Easement Located at Meadow Pass and Lakeridge - 2718 North Lakeridge. (District V)

Staff Recommendation: Approve Vacation of portion of utility easement.

MAPC Recommendation: Approve Vacation of portion of utility easement.

RECOMMENDED ACTION: Approve the Vacation Order; and authorize the necessary signatures.

Adjournment

Luncheon/Tour - Exploration Place.